

Sixth Appellate District

San Jose, California

MONDAY, MARCH 15, 2004

H024698 C.H. REYNOLDS ELECTRIC, INC. v. SPEARS, et al.

(Filed order modifying opinion.) The petition for rehearing is denied. This modification does not effect a change in the judgment. (not published)

(Bamattre-Manoukian, J., Wunderlich, J., Mihara, J.)

Filed March 15, 2004

H025866 UWATDAH v. ZUCHERMAN, et al.

The judgment is reversed. Appellant shall have costs. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed March 15, 2004

H026894 DANIELS v. SUPERIOR COURT (THE PEOPLE)

Let a peremptory writ of mandate issue directing respondent court to vacate its order denying the motion of petitioner Meleni Denise Daniels to recall the bench warrant issued on November 24, 2003, and to reinstate petitioner's release on supervised own recognizance. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24(b)(3).) The temporary stay order issued January 16, 2004, is vacated. (not published)

(McAdams, J.; We concur: Wunderlich, Acting P.J., Mihara, J.)

Filed March 15, 2004

TUESDAY, MARCH 16, 2004

H025190 PEOPLE v. BRACKETT

By the Court*:

Appellant's petition for rehearing is denied.

Filed: March 16, 2004

*Before Rushing, P.J., Premo, J. and Elia, J.

H026021 PEOPLE v. MAYS

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed March 16, 2004

The Court met in the Panelli Moot Court Courtroom, Bergin Hall, Santa Clara University, Santa Clara, California. Present: Rushing, P.J.; Premo, J.; McAdams, J.; and S. Nasson, Deputy Clerk.

Sixth Appellate District

San Jose, California

Tuesday, March 16, 2004 (continued)

H025395 PEOPLE v. PIRWANI

Cause called and argued by Brian Pori appearing for Appellant and by Jeffrey Bryant, Deputy Attorney General, appearing for Respondent. Cause argued and deemed submitted upon completion of supplemental briefing. McAdams, J. leaves the bench. Elia, J. takes the bench.

H025526 CORTINAS on Habeas Corpus

Cause called and argued by Song Hill, Deputy Attorney General, appearing for Appellant and by Barbara Fargo appearing for Respondent. Cause ordered submitted.

H025069 SIEBEL v. MITTLESTEADT, et al.

Cause called and argued by Robin Meadow appearing for Appellant and by Tony Tanke appearing for Respondents. Cause ordered submitted. Rushing, P.J., Premo, J. and Elia, J. leave the bench. Bamattre-Manoukian, Acting P.J., Wunderlich, J. and Mihara, J. take the bench.

H025871 PEOPLE v. MILLAR

Cause called and argued by Robert Angres appearing for Appellant and by Michael Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025368 RAMIREZ, et al. v. A & P PALLET

Cause called and argued by John Bobay appearing for Appellants and by John Stayner appearing for Respondent. Cause ordered submitted. Court adjourns.

H026043 PEOPLE v. DAVID T.

The order of commitment made on May 13, 2003, is reversed. The matter is remanded for the limited purpose of a new disposition hearing following the preparation of a current social study report. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed March 16, 2004

Sixth Appellate District

San Jose, California

WEDNESDAY, MARCH 17, 2004

H025472 PEOPLE v. ZARAZUA

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated March 9, 2004, is hereby vacated. The court by separate letter issued March 15, 2004, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: March 17, 2004 Rushing, P.J.

H025383 MAGHBOULEH v. BROADBASE SOFTWARE, INC., et al.

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed March 17, 2004

H025800 PEOPLE v. HUYNH

The appeal is dismissed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed March 17, 2004

THURSDAY, MARCH 18, 2004

H025851 PEOPLE v. DURBIN

The judgment of the superior court is modified to strike the order of restitution for "new car cost diff[erence]" of \$10,000 and "reduced sal[ary] increase" in the amount of \$2,000 so that the total amount of victim's restitution is \$19,355.67. As modified the judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 18, 2004

H026028 PEOPLE v. ALVARO Z.

The conditions of probation are modified to read as follows:
"You are not to be with anyone who *you know* is using or possessing any illegal intoxicants, narcotics, or drugs." As modified, the judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 18, 2004

Sixth Appellate District

San Jose, California

Thursday, March 18, 2004 (continued)

H026193 WORKU, et al. v. OTT, et al.

The judgment in favor of defendants Connell and Ott is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed March 18, 2004

H024565 PEOPLE v. GHADERI

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed March 18, 2004

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; Mihara, J.; and W. Magsaysay, Deputy Clerk.

H025766 KOVACS v. PRITCHARD, et al.

Cause called and argued by James William Bravos appearing for Appellant and by Bruce MacLeod appearing for Respondents. Cause ordered submitted.

H026322 PEOPLE v. SHEPPARD

Cause called and argued by Anya Binsacca, Deputy Attorney General, appearing for Appellant and by Barbara B. Fargo appearing for Respondent. Cause ordered submitted.

H026155 In re ARTHUR SAM CRISCIONE on Habeas Corpus

Cause called and argued by Pamela B. Hooley, Deputy Attorney General, appearing for Appellant and by Barbara B. Fargo appearing for Respondent. Cause ordered submitted.

H026027 RASMUSSEN v. BUZME.COM

Cause called and argued by Edward W. Smithers appearing for Appellant. No appearance by respondent. Cause ordered submitted.

H023805 BASOR, et al. v. ROCHA, JR., et al.

Cause called and argued by Nick Drobac appearing for Appellants Pauline Basor, as Trustee, etc., et al., and by Thomas P. Dwyer appearing for Appellants John Rocha, Jr., et al. Cause ordered submitted.

Panel change ensues. Wunderlich, J., leaves the bench. He is replaced by McAdams, J.

Sixth Appellate District

San Jose, California

Thursday, March 18, 2004 (continued)

H025497 PEOPLE v. KEMPER

Cause called and argued by Thomas Kemper, appellant appearing in propria persona, and by John Vance, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; Mihara, J.; and R. W. Norvelle, Deputy Clerk.

H025695 PEOPLE v. BADUE

Cause called and argued by Alexander Lambrous appearing for Appellant and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025972 PEOPLE v. SCOTT

Cause called and argued by David D. Martin appearing for Appellant and by Rene A. Chacon, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

H025582 PEOPLE v. SMITH

Cause called and argued by Andrew C. Janecki appearing for Appellant and by Michelle J. Pirozzi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025341 PEOPLE v. WHITE, et al.

Cause called and argued by Randi Covin appearing for appellant Giovanni White and by Lori D. Klein appearing for appellant Unussun Gadsen and by Michelle Pirozzi, Deputy Attorney General, appearing for Respondent. Submission is deferred. Counsel are permitted to file supplemental briefs on or before March 29, 2004, addressing certain issues. The matter will be submitted upon completion of the supplemental briefing.

Wunderlich, J. steps down and McAdams, J. takes the bench.

H026302 SANTA CRUZ COUNTY HUMAN RESOURCES AGENCY v. MARILU H.

Cause called and argued by Caroline J. Todd appearing for Appellant and by Jane M. Scott, Deputy County Counsel, appearing for respondent Santa Cruz County Human Resources Agency and by Lori D. Klein appearing for minor. Cause ordered submitted. Court adjourns.

Sixth Appellate District

San Jose, California

FRIDAY, MARCH 19, 2004

H025622 PEOPLE v. PEDREGON

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)
Filed March 19, 2004

H025859 In re NICHOLAS T., et al; D.F.C.S. v. MILLER T., et al.

The order is affirmed. (not published)
(McAdams, J.; We concur: Rushing, P.J., Premo, J.)
Filed March 19, 2004

H025015 PEOPLE v. REYES

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed March 19, 2004

H023779 PEOPLE v. RUIZ

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Elia, J., Mihara, J.)
Filed March 19, 2004

H024866 PEOPLE v. CAMPBELL, et al.

The judgments are affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed March 19, 2004

H025082 TUCHMAN, et al. v. THE CITY OF MARINA, et al.

The judgment is affirmed. The City shall recover its costs
on appeal. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed March 19, 2004

H025424 PINA, et al. v. CALDERON, et al.

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed March 19, 2004